

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

RALPH E. BRANCHE, et ux.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 3:06-CV-234
	)	(Phillips)
ZIMMER, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Plaintiffs have brought this product liability action alleging that a Natural Knee II Revision Stem manufactured by defendant Zimmer and implanted in Ralph Branche's right knee in 1998 was defective and unreasonably dangerous. As a result of the failure of the Natural Knee II Revision Stem, Ralph Branche was required to have surgery to remove the broken device and to implant a new knee device, as well as rehabilitation and therapy. Currently pending is the motion for summary judgment of defendant Zimmer, Inc.

Upon careful review of the record, the court finds that there are multiple issues of material fact which remain to be determined including: (1) whether the Natural Knee II Revision Stem was defective or unreasonably dangerous; and (2) whether the alleged defect in the Natural Knee II Revision Stem proximately caused plaintiffs' injuries and damages.

Accordingly, Zimmer's motion for summary judgment [Doc. 68] is hereby  
**DENIED.** The parties will prepare the case for trial.

**IT IS SO ORDERED.**

**ENTER:**

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s/ Thomas W. Phillips  
United States District Judge